

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO**COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C §§ 1983**Name Verdream James
(Last) (First)MAR - 5 2015
*✓*MATTHEW J. DYKMAN
CLERKPrisoner Number 24270408Institutional Address P.O. Box 837 ESTANCIA, New Mexico 87016UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAJames P Verdream

(Enter the full name of plaintiff in this action.)

vs.

CORRECTIONS CORPORATION OF AMERICASGT DUFF | C/o GARLEYC/o ACOSTAC/o OOSTIN

(Enter the full name of the defendant(s) in this action)

Case No. 15 CV 194 LH/LAM
(To be provided by the Clerk of Court)COMPLAINT UNDER THE
CIVIL RIGHTS ACT,
Title 42 U.S.C § 1983**[All questions on this complaint form must be answered in order for your action to proceed.]**

I. Exhaustion of Administrative Remedies.

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement Torrance County Detention Facility, Estancia, NM

B. Is there a grievance procedure in this institution?

YES NO

C. Did you present the facts in your complaint for review through the grievance procedure?

YES NO

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue a certain level of appeal, explain why.

1 1. Informal appeal 2015-303-000576

2 Replied to the Administrative Due Officer
3 No response from her at all.

4 2. First formal level this is the only level it goes
5 to before I file in court.

6 3. Second formal level _____

7 _____
8 _____

9 4. Third formal level _____

10 _____
11 _____

12 E. Is the last level to which you appealed the highest level of appeal available to
13 you?

14 YES NO

15 F. If you did not present your claim for review through the grievance procedure,
16 explain why. _____

17 _____
18 _____

19 II. Parties.

20 A. Write your name and your present address. Do the same for additional plaintiffs,
21 if any.

22 James P Verduam 24270408

23 Po Box 837 ESTANCIA New Mexico 87016

24 _____
25 B. Write the full name of each defendant, his or her official position, and his or her
26 place of employment.

27 They won't provide there Full Name to me

1 SGT. DUFF - CORRECTION CORPORATION OF AMERICA / SGT. Correction officer
2 C/o OSTIN CCA CORRECTION OFFICER TORRENTE COUNTY JAIL FACILITY
3 C/o ACOSTA CCA CORRECTION OFFICER
4 C/o GARLEY CCA CORRECTION OFFICER

5 III. Statement of Claim.

6 State here as briefly as possible the facts of your case. Be sure to describe how each
7 defendant is involved and to include dates, when possible. Do not give any legal arguments or
8 cite any cases or statutes. If you have more than one claim, each claim should be set forth in a
9 separate numbered paragraph.

10 ON SUNDAY the 22nd of February SGT. Duff gave the order to Strip
11 Search inmate Verdican (# 24270408) OR CCA # 2121223 before he went
12 in to the Shower at 8:00 AM. I told SGT Duff that is not Policy
13 And You and anyone else has no authority to Strip Search me
14 And for what Reason. I am in Segregation He said its Policy I said
15 does the Captain on duty know about this he said yes he does
16 I Striped was told to squat down spread my butt cheeks while
17 they Shined a flash light at my rectum to see if there
18 was any thing there I felt violated. Felt like I was going
19 to be Sexually Assaulted. Had no idea why this was happening
20 to me. I never gave them a reason to do this I've never had
21 A write up ever in 10 months 3 week I've been here

22 Kenneth James Verdican 24270408

23 IV. Relief.

24 Your complaint cannot go forward unless you request specific relief. State briefly exactly
25 what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

26 I WANT monetary Relief.

27 I want these officer fired from there duty so they can't do this to anyone
28 else. So anyone else doesn't feel like they have been violated.

1 To make inmates aware that this happens from correction officers
2 To let people know that this company is violating inmates while they are
3 in custody. To tell inmates its ok to speak out about what has
4 happened to you. Don't be afraid to speak out.

5 I declare under penalty of perjury that the foregoing is true and correct.
6

7 Signed this 26 day of February, 2015



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10 (Plaintiff's signature)
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Grievance No.: 2015-503-00057-G

14-5B

INMATE/RESIDENT GRIEVANCE

FULL NAME:	<u>James P Verlamm</u>	
NUMBER:	<u>2121223</u>	HOUSING ASSIGNMENT: <u>5-A-203</u>

INFORMAL RESOLUTION ATTACHED (Not required for an emergency grievance) YES NO

GRIEVANCE CATEGORY (CIRCLE ONE):

1. Facility Staff	8. Dental Services	15. Housing
2. Access to Legal Materials	9. Mental Health Services	16. Laundry
3. Denied Access to Informal Resolution/Grievance Process	10. Trust Account	17. Recreation
4. Reprisal for Using Informal Resolution/Grievance Process	11. Commissary	18. Visitation
5. Safety/Security	12. Food Service	19. Programs-education, work, religious, etc.
6. Sanitation	13. Mail	20. Violations of federal or state regulations, laws, court decisions (i.e. ADA or Constitutional rights)
7. Medical Services	14. Intake	21. Other

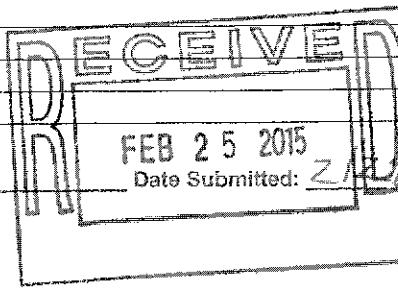
STATE GRIEVANCE: (Include documentation, witnesses, date of incident, and any other information pertaining to the grievance subject. Attach additional pages if necessary). Inmate Branch Gilbert Gornies

ON Sunday the 22nd of February at 8:00 am. I FELT like I was being sexual assulted STRIP before I TAKE A Shower head over spent my cheeks wider so we can see this WAS SO DUFF AND THE STAFF that was here ON SUNDAY.

This is policy they said we have to be striped search every time we go to the Shower AND come back I've read the Policies there is no such Policy ON this AT ALL. JUST because we are IN Seg doesn't condone this kind of treatment. So Are You going into the Pools AND SAYING NO Showers UNTIL we STRIP SEARCH You then we will turn on the WATER. JUST because we are in Federal Custody doesn't mean we don't have rights. looking up at my butt with a FLASH light that is A real Sick Person who does this I asked if the Captain knows about this oh Yes, its Policy, then (cc) must have different Policy then we HAVE BEEN VIOLATED Something Need to be done About this. They thought it was a BIG joke. Felt as they wanted to do some sexual act.

Requested Action: (Attach additional pages if necessary)

- (1) To be held responsible for this who said this was ok to do
- (2) to be fined this is not some joke
- (3) to be removed from this post
- (4) Peoples rights are violated here
- (5) INTERNAL AFFAIRS REVIEW BOARD

Inmate/Resident's Signature: James P Verlamm

Grievance No.: 2015-5D3-00057 G

14-5B

RESPONDING STAFF MEMBER'S REPORT: (Attach additional pages if necessary. All pages must include the grievance number.)

Per Policy 14-02 L-1.c "unless otherwise mandated by contract, alleged P.R.E.A. incidents will not be processed through the facility's inmate/resident grievance process. Should a report be submitted and received as an inmate/resident grievance, whether inadvertently or due to contracting agency requirements, it will immediately be referred to the Facility Investigator or Administrative Duty Officer.

RESPONDING STAFF MEMBER'S DECISION: (Attach additional pages if necessary. All pages must include the grievance number.)

This grievance is returned and allegations made have been referred per policy 14-02.

Responding Staff Member's Printed Name: Frank Rippert Title: Grievance Coordinator
Responding Staff Member's Signature: M. Rippert Date: 2/26/15
Inmate/Resident's Signature (upon receipt): _____ Date: _____

INMATE/RESIDENT APPEAL (Attach additional pages if necessary. All pages must include the grievance number.)

WARDEN/ADMINISTRATOR'S DECISION: (Attach additional pages if necessary. All pages must include the grievance number.)

Warden/Administrator's Signature: _____ Date: _____
Inmate/Resident's Signature (upon receipt) _____ Date: _____

JonesPike&Kam2/2/223
No Box 837
ESTANCIA, New Mexico
87016

RECEIVED
At Albuquerque NM

MAR 05 2015

FOREVER
U.S.A.
Bank Swallow

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

333 Tijeras Blvd NW

Albuquerque, New Mexico

87102-27470